



Re: Triangle Lake Herbicide Meeting

Richard Keigwin to: Scott Downey

Cc: Jill Bloom, Mary Manibusan

07/12/2011 10:55 AM

Thanks Scott.

Just wanted to make sure you had what you needed.

Scott Downey

Rick - there will be four participating from EPA. I...

07/12/2011 12:43:30 PM

From: Scott Downey/R10/USEPA/US
To: Richard Keigwin/DC/USEPA/US@EPA
Cc: Jill Bloom/DC/USEPA/US@EPA, Mary Manibusan/DC/USEPA/US@EPA
Date: 07/12/2011 12:43 PM
Subject: Re: Triangle Lake Herbicide Meeting

Rick - there will be four participating from EPA. I will be going as the pesticide manager and primary regional spokesperson. There will be two others from Seattle - Kay Morrison (a Community Involvement Coordinator) and Elizabeth Allen (a Toxicologist). Alan Henning will also participate. He is R10 based in Eugene. You may recall that Alan joined us for a time at our meeting with Day Owen/Pitchfork Rebellion in Eugene that we attended in March 2010. Jill sent me some talking points on what to say about the petition (see below). If there's any other direction or statements you'd like me to make, please let me know. Also, there is a call with Oregon agencies and Jill/Mary tomorrow at noon your time where they'll want to know about the petition response and OPP's role in this. I'll be on that call too.

There has been a lot of back and forth within the state as to how to respond to the urine herbicide detections between the Health and Environmental agencies and the Dept of Ag and Dept of Forestry with the Governor's Natural Resource Director as the referee. The current plan is to conduct a human exposure investigation focused on initially on drinking water, domestic plant and animal food products (home gardens/milk & eggs) and bio-sampling (urine). EPA will be collecting the water samples from residents in August and the state will do the lab analysis. ATSDR is designing and funding the bio-samples. There were grander plans for air and foliage sampling for analysis of drift but the timber companies have now declared they will not spray this year if this type of sampling is done. Go figure.

Anything that OPP can do to assist us with funds and expertise would be appreciated. We've been keeping Jill informed throughout this and greatly appreciate her involvement. Here is what she sent me for talking points:

The Agency is developing a response to public comments received on the petition that will clear the way for an Agency response to the petition itself. EPA Headquarters has focused on two related issues that have the potential to address some of the petitioners' concerns, and the response to the petition will be dependent on their status.

First, the Agency will be implementing a plan to make the assessment of the risks pesticide drift poses to "bystanders" a routine part of pesticide decision-making, when the potential for exposure and characteristics of the pesticide indicate that there is a potential for risk. The potential for exposure is related to the application method and equipment used for a particular pesticide, so that the aerial broadcast application of a pesticide could trigger the assessment, while a dry product that is applied in the furrow and covered with soil at the time of planting might not. Based on how herbicides are used on timber in Western Oregon, an assessment of the risks associated with drift for residents in the vicinity of treatment areas would be likely. Efforts have also begun to determine how current drift models might be applied to, or modified for, scenarios in which the treatment area is steeply sloped and in which aerial applicators must avoid standing trees during applications by flying at height. HQ is also supporting the work of the Region in resolving citizen complaints about drift from timber applications.

Second, the Agency is in the final stages of preparing guidance on pesticide labeling for drift that could have a real impact for Triangle Lake and other communities. The Agency plans to issue a notice by the end of the year advising pesticide registrants on how product labels should address drift. The notice also will serve as guidance for pesticide enforcement personnel. Registrants are advised to add a uniform and inclusive general drift statement that sets a performance standard for avoiding drift. Although the guidance is not final, the Agency has been very transparent in developing the drift labeling, which is currently drafted for commercial-use products as:

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. In addition, do not apply this product in a manner that results in spray drift that harms people or any other non-target organism or site.

Labeling will differ somewhat for products applied by homeowners, but for products labeled as above, in situations such as those that are the subject of the petition, pesticide applications that create drift resulting in direct contact with humans or the contact of humans with drift residues would be unlawful, as would drift that results in harm to non-human non-target organisms or gardens or environmental resources. The drift labeling guidance will also set standards for product-specific restrictions to reduce drift, such as use directions that specify buffer zones or restrictions on droplet size.

In another effort with overlap to the Triangle Lake petition, the Agency is also developing a response to a petition on reducing the drift exposures of children. It is our hope to issue the labeling guidance and respond formally to the two drift petitions around the same time, and by the end of this year.

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Richard Keigwin

The article below mentions that EPA is participat...

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